

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Peggy Benjamin,)	C/A No. 0:13-2052-RMG-PJG
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	

This social security action is before this court pursuant to 42 U.S.C § 405(g) for review of a final decision of the Commissioner of the Social Security Administration (“Commissioner”). The plaintiff, who is represented by counsel, initiated this action and filed her Complaint on July 25, 2013. (ECF No. 1.) The Commissioner filed a motion to dismiss on January 17, 2014. (ECF No. 10.) The plaintiff has failed to respond to the motion in accordance with Local Civil Rule 7.06 DSC. As such, it appears to the court that she does not oppose the motion and wishes to abandon this action.

Based on the foregoing, it is

ORDERED that the plaintiff shall advise the court as to whether she wishes to continue with this case and to file a response to the Commissioner’s motion to dismiss within seven (7) days from the date of this order. Plaintiff is further advised that if she fails to respond, this action may be decided on the record presented in support of the Commissioner’s motion, see Local Civil Rule 7.06 DSC, or may be recommended for dismissal with prejudice for failure to prosecute. See Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.



Paige J. Gossett

UNITED STATES MAGISTRATE JUDGE

February 7, 2014
Columbia, South Carolina